

Portsmouth to pay \$278K to Coakley group in 2018

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PORTSMOUTH -- The Coakley landfill Superfund cleanup site has been closed for about 33 years, but it's still costing the taxpayers of Portsmouth hundreds of thousands of dollars.

During the past three years, the city has been "assessed" slightly more than \$350,000 for its part in the Coakley Landfill Group's required remediation of the site, according to an examination of CLG meeting minutes. The Coakley landfill is a 27-acre site in Greenland and North Hampton that accepted waste from 1972 to 1982 and then incinerator waste until 1985.

The city's taxpayers are expected to pay \$278,465 to the CLG in 2018, according to Peter Britz, the city's environmental planner, who also works for the CLG.

During the past three years, the CLG has paid its primary consultants, CES, Inc., about \$294,034, according to an examination of the CLG's meeting minutes.

City Attorney Robert Sullivan, a member of the CLG's executive committee, acknowledged Friday the consultants have received "a lot of money" the past three years. Sullivan has previously said the CLG spent about \$27 million on remediation at the landfill, \$13 million of which came from Portsmouth taxpayers.

He has acknowledged previously there is no formal record of how the money was spent, but maintains the spending is all documented in minutes of teleconference meetings the CLG has held over the past decades. Sullivan is trying to put together a more formal report, but said, "it's a huge job. The issue is that records go back to the early 1990s, a pre-computer era, so it's all paper records."

Much of those records are in "cardboard boxes at various places around the city," Sullivan said. "We're in the process of locating and collecting those."

Sullivan, Britz and Mike Deyling, a vice president at CES, Inc., are scheduled to make a report to the City Council Monday night about the CLG. The presentation will include an explanation of the CLG's decision to hire a lobbyist, who state Rep. Mindi Messmer, D-Rye, said told her he was hired to lobby against her legislation. The lobbyist denies that.

CES, Inc. by far received the most money from the CLG the past three years, according to the meeting minutes. Sullivan said the group is “the primary consulting engineers and hydrologists” for the CLG. “They engage subcontractors to drill the wells and do the monitoring,” he said. “We have a very intensive monitoring imposed on us by the EPA.”

During the past three years, the CLG has also paid the city about \$50,000 - typically \$2,500 per meeting - for Britz’s services. Sullivan denied having Britz work for the city and CLG is a conflict of interest. The decision was made to have Britz work for the CLG too “to save the city money,” Sullivan said.

“Peter Britz performs certain services for the Coakley Landfill Group ... services that would otherwise have to be provided by an outside consultant at outside consultant rates,” Sullivan said. “In turn, the Coakley Landfill Group reimburses the city for those frankly nominal amounts rather than having to pay an outside consultant significantly higher amounts.”

The city, and not Britz, receives the fee for his services, Sullivan said. He stressed the city and CLG share the common interest of wanting to protect public health around the landfill.

Tests on monitoring wells at the landfill found PFASs and 1,4-dioxane, both suspected carcinogens, at levels above the EPA’s health advisory levels. Many people living near the landfill fear chemicals leaching from Coakley will contaminate their wells, but so far PFCs found in private wells have tested below the EPA’s health advisory level. N.H. Department of Environmental Services officials, however, confirmed high levels of PFASs in nearby Berry’s Brook pose a risk to the environment and should be cleaned up.

“Peter is the main contact between the Coakley Landfill Group and the regulatory agencies,” Sullivan said. “If EPA has to contact the group, they contact them through Peter and vice versa. He’s an administrator, he’s not a policy maker.”

Sullivan further maintained Britz “has saved tremendous sums of money for the city and the CLG.”

Britz also denied any conflict. “I would say it’s in support of the city. The city is 53 percent of the Coakley Landfill Group,” he said. “It’s something the city has to do.” He too maintained he is saving the city money.

“If we hired engineers overseeing this stuff, their hourly billable rate is way higher than mine,” Britz said, adding “there’s plenty of environmental planners that work on remediation projects. It’s in keeping with my background and my experience.”

The CLG is made up of municipalities and groups that used the landfill including companies that transported trash there. The entities have been required to pay into a trust created through a 1991 Record of Decision by the EPA and DES. The city of Portsmouth is required to pay 53.6 percent of remediation costs.